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Supreme Court, U.S.
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No. 07-1113

IN THE
Supreme Court of the United States

RAYMOND CHARLES PERSIK, et. al. [BEARS],
Petitioner(s)

v.

GROUP HEALTH COOPERATIVE INC., of WA,
Mrs. MONICA T. McCALLIE, et. al.,
UNKNOWN ABORTION DOCTOR,
UNIVERSITY of WASHINGTON MEDICAL CENTER,
Mr. ROB McKENNA, and
Ms. CHRISTINE O. GREGOIRE,
Respondents

On Petition For Writ of Certiorari
To The U.S. Court of Appeals for the 9th Circuit

PETITION FOR REHEARING

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QUESTIONS FOR THE U.S. SUPREME COURT

1. Based again on the discovery of yet additional information, suggesting the death of the petitioner's son, to a borderline 2nd/3rd trimester abortion, on September 27, 1994, was in fact a pre-planned event, would this Court please consider remanding this case to the 9th Circuit with instructions to either further remand the case to the U.S. District Court for the District of Western Washington – Seattle, and permit the filing of a professionally drafted complaint, or grant the motion to file the August 2006 amended opening brief, *OR* will the events of 1994- 2008 set an example that a woman can take the life of an innocent unborn child and arrange for both peonage and years of acts of violence against an ex-spouse should an ex-spouse choose to legally divorce such a woman for an act that the petitioner maintains should never have been legalized in this Nation, as this Court did in their decision on January 22, 1973 in *Roe v. Wade*, 410 U.S. 113 (1973)?

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ARGUMENT 1

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ARGUMENT

Part I. 1. Based again on the discovery of yet additional information, suggesting the death of the petitioner's son, to a borderline 2nd/3rd trimester abortion, on September 27, 1994, was in fact a pre-planned event, would this Court please consider remanding this case to the 9th Circuit with instructions to either further remand the case to the U.S. District Court for the District of Western Washington – Seattle, and permit the filing of a professionally drafted complaint, or grant the motion to file the August 2006 amended opening brief, OR will the events of 1994- 2008 set an example that a woman can take the life of an innocent unborn child and arrange for both peonage and years of acts of violence against an ex-spouse should an ex-spouse choose to legally divorce such a woman for an act that the petitioner maintains should never have been legalized in this Nation, as this Court did in their decision on January 22, 1973 in *Roe v. Wade*, 410 U.S. 113 (1973)?

1. On December 21, 2007, the petitioner submitted a petition to this Court alleging, and providing as many facts as possible, that respondent [McCallie] et al., conspired to conceal the facts surrounding the death of petitioner's unborn son, Angel Persik, to a borderline 2nd/3rd trimester abortion, on September 27, 1994, and the subsequent peonage in violation of 42 USCS § 1994. Peonage. [Persik] does not allege

that [he] was an ideal husband in any of the 16 federal legal cases, or two Colorado State cases; rather, [he] approaches all cases with absolute facts which include [his] errors. The petitioner prays that this Court will now review all filed petitions, to both potentially one day save the lives of millions of unborn children and simultaneously advance numerous legal aspects of how this Court interprets, but does not make, the law.

2. The petitioner maintains this Court needs to address the additional, alleged civil rights violations being allegedly continuously allowed BY AUTHORITY in what appears to be a concerted effort to protect the holding of this Court in *Roe, supra*, via racketeering enterprises, *see petition* at F-35, 18 USCS § 1961 et seq.

3. On December 25, 2007, yes Christmas Day, [Persik] and [his] new PRO LIFE, Filipina bride, Mrs. Miraluna Persik, received hours of harassment by an unknown assailant, allegedly violating California Penal Code § 205, Aggravated Mayhem, referred to in *Persik v. John W. Suthers, et al.,* 549 U.S. ____ (#06-471, 549 U.S. _____, 2007). This was just the beginning of the alleged retaliation.

4. On December 29, 2007, while at Sears department store, [Persik]'s employer, until [he] is either cleared to go overseas with [his] military unit, and/or returns to work on [his] Ph.D. in Chemistry, [he] again experienced severe, alleged violations of CA Penal Code § 205, *supra.* [Persik] alleges this was again an act of retaliation for the filing of the case in this

Court. [Persik] deals primarily with Ms Ruth Jones and Mr. Atkins, and they have been nothing less than incredible people to work with since October 2002. [Persik] feared losing yet one more job for [his] pro life view; however, both Sear Eastridge's management, and security, apparently dealt with the issue, and [Persik] finally has a safe working environment, while working well beneath [his] given capabilities, outside of [his] areas of expertise.

5. On February 24, 2008, a republican presidential candidate, was cited as "comparing abortion to slavery", "[Candidate's Name] Compares Abortion to Slavery, ..." Steven Ertelt, LifeNews.com, 2008. Furthermore, this candidate went on to state that he "supports a human life amendment to the Constitution because the overturning of *Roe v Wade, supra,* is only the first step in stopping abortions".

6. On March 9, 2008, while attempting to draft a petition for rehearing, in *Persik v. Tucci Learning Solutions, Inc., et al,* 07-17178 (9th Circ, 2007), the unknown assailant, assumed to be the same person, or a co-conspirator, allegedly violated CA Penal Code § 205, *supra*, to such an extent that [Persik] called 9-1-1 where two Concord police officers subsequently requested [he] undergo a psychiatric evaluation. A staff psychiatrist cleared [Persik], on March 9, 2008, and stated "You Do Not Need to be Here". During the time, with the psychiatrist, [Persik] shared a document entitled "U.S. Senate Proposal, Proposed Pro Life Amendment to the United State Constitution (Amendment 28) and U.S. Supreme Court Case Proposal(s) for a Healthier America",

Raymond Charles Persik, Santa Clara & Concord, CA, 2008, that [he] delivered, along with a copy of the original petition in this case, to all members of the United States Senate on March 10 and March 12, 2008. [Persik] submitted 97 sets of documents via environmental screening and 3 sets by way of personal delivery. Thus, [Persik] only had March 9, 2008 to timely prepare a petition for rehearing of the 9th Circuit's February 15, 2008 judgment, in *Tucci, supra*, prior to [his] departure for Washington, D.C. The mandate issued on March 11, 2008, and [Persik] filed a timely petition for writ of certiorari on May 15, 2008; however, this additional petition interfered with the proper composing of this petition for rehearing.

7. Additionally, evidence viewed on Friday, April 25, 2008, at Sears, Eastridge Mall in San Jose, California, presents a question as to the integrity, or security, of the decision in the previously filed petition for writ in this case. Specifically, [Persik] viewed Colorado Rockies jerseys being received at the Sears location where [he] works which is not standard procedure. Based on the fact that the Colorado people will vote on a pro life amendment to their constitution this November 2008, this could be a good fact, but [Persik]'s coworker, and one person in management, gave [him] the perception that the decision was already made regarding the denial of the petition for writ of certiorari.

8. On April 24, 2008, [Persik] notes the 95-0 decision in the passing of the Genetic Information Nondiscrimination Act, "Senate Approves Genetic

Discrimination Ban, Pro Life Advocates Applaud Vote", Steven Ertelt, LifeNews.com, April 24, 2008, which was subsequently signed into law by President George W. Bush on May 21, 2008, "President Bush Signs Pro-Life Bill to Ban Genetic Discrimination into Law", Steven Ertelt, LifeNews.com, May 22, 2008.

9. At 42, the Petitioner's Amended Opening Brief, to the 9th Circuit, [Persik] begins [his] discussion of [his] genetics and [his] son's alleged genetic make up. Specifically, [Persik] states:

> "[Persik] alleges that this alleged fraud involved [his] son intentionally being diagnosed with Hydrocephalus due to aqueductal stenosis [D 019 at ¶ 28]. In preliminary research, [Persik] found this is the sex linked form of the disease which would mean that the gene was inherited from [McCallie], not [Persik]. [Persik] recently located Annotation: Medical Malpractice in Performance of Legal Abortion, Margaret E. Vroman, J.D., 69 ALR 4th 875. At 880, Vroman cites "Malpractice: physician's duty to inform patient of nature and hazards of disease or treatment", 79 ALR 2d 597. [Persik] will review this information prior to the oral argument [Persik] prays this Court will grant.
>
> (5) Additionally, Angel Persik allegedly had an unbalanced translocation [D022 at ¶

35] in addition to the hydrocephalus; this was allegedly inherited by [Persik].

(a) Before [Persik] married [McCallie], she often commented that she was happy that [Persik] was balanced. [Persik] alleges that if this is true, [McCallie] had [Persik]'s blood drawn at Shippensburg University Health Clinic while they were dating without his knowledge, between February 1984 and March 1986, or upon their blood tests for marriage, and [Persik] further alleges that [McCallie] subsequently had a chromosomal analysis (karyotype) performed, again prior to their marriage.

(b) In a January 13, 1995 post abortion [UWMC] report, Dr Thomas Easterling signed a report[1] that states: "... the chromosome studies from your previous pregnancy showed the fetus to have some extra chromosomal material at the end of one of the #6 chromosomes. This was in all likelihood the cause of the hydrocephalus seen on the ultrasound exams[2]". In [Persik]'s scientific opinion, this is inconsistent with known scientific knowledge. [Persik]'s chromosomes are written 46, XY,

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[1] [Persik] made a technical error in the lower case at [D022 ¶ 35]. This was a very major oversimplification. Chromosomes are not inherited in tact from a mother, or a father; this is one clear reason that translocations are possible.

[2] [Persik] did not make it to either of the two ultrasound exams; the second exam he arrived as [McCallie] was leaving the clinic.

t(6;21)(q27;q22). This means that there is a break on the long arm (q) of chromosome 6 at marker 27 (or section 27) which is attached to chromosome 21 where the chromosome 21 broke at marker 22 (and is on chromosome 6 in [Persik]). This balanced translocation is the result of a reciprocal translocation several generations before [Persik] was born. The definition, of a reciprocal translocation, is: "where parts of two chromosomes break off and become attached to the other chromosomes", Chromosomes in Mitosis and Meiosis (Chpt 6) , Dr. Cushieri, Department of Anatomy; University of Malta; Malta[3], Europe at: http://staff.um.edu/mt/acus1/6Chromosomes.htm, at page 9 (of 17).

(c) In order to persuade this Court, to issue Mandamus, [Persik] will briefly present some limited known facts surrounding this alleged unbalanced chromosomal translocation, 46, XY, -6, +der (6)t(6;21)(q27;q22)pat, in Angel Persik. Angel was allegedly missing a piece of Chromosome 6 that was located on Chromosome 21 in the father, [Persik]. Therefore, the genetic

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[3] Malta is a pro life Nation. "Abortion has been controversial in Malta because it is one of the few European nations that make it illegal. In December 2004, the nation's Catholic bishops condemned a United Nation's campaign pushing the pro-life country to overturn its pro-life laws," "Malta Pro-Life Advocates Can't Stop Spain Abortion Business From Running Ads", Steven Ertelt, LifeNews.com, http:///www.lifenews.com/nat2422.html, 17 July 2006.

material, on the small translocated piece of chromosome 21, was present 3 times; one time in each normal chromosome 21, and a third time on the piece of chromosome 21 that was located on chromosome 6; therefore, Angel had a partial trisomy 21 and a partial monosomy 6. In order to predict if a translocation is responsible for an inherited disorder, or disease, [Persik] will describe the regions around the chromosomal breaks.

(i) 6q27. 6 is the Chromosome; q is the long arm; 27 is the marker, or section. In this case, [Persik] does not know the subsection[4] of the break, in the chromosome, where the translocation occurred. Human Gene Mapping, A. Jamie Cuticchia, Johns Hopkins University Press; Baltimore, MD 1994, has Locus names, at 1027, for chromosome 6; the q (long arm) 27 region lists serous Ovarian cancer [OVCS] on subsegment 2 (6q27.2) and susceptibility to Coronary[5] artery disease [LPA] on subsegment 1 (6q27.1). An interesting note is [McCallie] experienced heart problems in May 1984 prior

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[4] A definition of chromosomes, sections and subsections is on the web. The main reference is: *"Born of Blood: Chromosome Chronicles"*; Positively Aging, M.O.R.E., The University of Texas Health Center at San Antonio, 2004.

[5] Interestingly, [Persik] cites, from *Cuticchia, supra* at 1027, the gene for breast cancer is located at 6q25.1 and Estrogen resistance at 6q25.3. More specifically, the 6q25.1 locus name is Estrogen receptor (ESR). This is consistent with the allegations that [Persik] has been under electronic surveillance [ES] since 1999.

to returning to Lima, Peru for her summer vacation.[6]

(ii) 21q22.1. & 21q21.2.

[Persik] has possession of chromosomal studies of Debra[7] Persik (handicapped sister, [45, XX]), Catherine Persik (sister, [47, XX]) and Julia Persik (mother, [46, XX]). The break in chromosome 21 is more clearly defined as 21q22.1 in Catherine and 21q21.2 in Julia Persik and Debra Persik. [Persik]'s break is merely listed at 21q22. Performing the same basic analysis, on the subsections of the chromosomal 21 breaks, The GDB Human Genome Database, The Official World-Wide Database for the Annotation of the Human Genome; RTI International; North Carolina, U.S.A., http://www.gdb.org/gdbreports/ http://www.gdb.org/gdbreports/GeneByChromosome.21.alpha.html, shows the following, for 21q21.2: "amyloid beta (A4) precursor protein (protease nexin-II, Alzheimer disease)" [APP], on page 2 of 26. Recently, [Persik] was told that Catherine Persik has early Alzheimer's disease. Although Catherine's chromosomal break is in a slightly different location, 21q22.1, [Persik]'s newly interpreted understanding would theorize[8] that this is possible. In the region of

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[6] Omitted due to word count.

[7] Debra Persik, Catherine Persik and Julia Persik's exact Chromosomal structures are not written here.

[8] [Persik] will only state that [he] believes this is possible. At the appropriate time, [Persik] will call on an expert witness.

Julia's and Debra's chromosome 21 break, 21q21.2, the same data base shows the Down Syndrome Chromosome Region, [DSCR], 21q22.2-22.3 [pg 9-10/26]. DS Candidate, Region 1 [DSCR1] is located at 21q22.1.2; however, there is no reported information regarding hydrocephalus due to aqueductal stenosis. Thus, [Persik] searched the X chromosome for hydrocephalus, as [he] did in September 1994. [Persik] believes that [he] told Monica [McCallie] the location of this type of hydrocephalus in 1994.

(iii) Xq28. *Cuticchia, supra,* reports the Disorder "Hydrocephalus due to aqueductal stenosis" [HC-AS], on page 1055 which is what the [Unknown Abortion Doctor] diagnosed Angel Persik with. The gene for [HC-AS] is located on the long arm (q) of the X chromosome (X) at section 28, [Xq28]. Therefore this gene cannot be inherited by a son, from his father, because [Persik] gave his Y chromosome (Y) to his son. To confirm this gene location, [Persik] checked the "World Wide database", *supra,* at http://www.gdb.org/gdbreports/GeneByChromosome.X.alpha.html, where the symbol [L1CAM] is used for "L1 cell adhesion molecule (hydrocephalus, stenosis of aqueduct of Sylvius 1 MASA (mental retardation, aphasia, shuffling gait and adducted thumbs) syndrome, spastic paraplegia 1). While

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[Persik]'s theory is too basic, and it is based on only a few days of reading coupled with [his] scientific background.

Angel's chromosome tests cannot be duplicated, [Persik] has Angel's handprints and footprints, showing a combination of 10 small, beautiful, fingers, toes and thumbs. "We took sweet counsel together, and walked to the House of God in the throng," Psalms 55:14, Gideon's New Testament, The Gideons International; Nashville, TN 1987.

(iv) To further deteriorate, from the [Unknown Abortion Doctor]'s diagnosis, "Trisomy 21 is the most frequent viable chromosome disease", Atlas of Genetics and Cytogenetics in Oncology and Hematology, http://www.infobiogen.fr/services/chromcancer/Educ/PolyTri21Eng.html" at page 1 (of 7). Of further concern, is the location of aliases for male homosexuality or sexual orientation, male, located at Xq28 IAW "Official World-Wide Database, at "http://www.gdb.org/gdbreports/GeneByChromosome.X.alpha.html" at 26 (of 68); thus, this reinforces [Persik]'s theories for the taking of [his] unborn son's life. [Persik] respects the rights of all people living within the laws of the U.S.; however, this information, coupled with the proceeding information provides "God's ammunition" that abortion should be eliminated in the eyes of the [BEARS]. While this Nation needed to address these issues, such as alternative lifestyle lives, the U.S. Supreme Court did not issue the ORDER, in *Roe, supra,* on January 22, 1973, for the alleged purpose of taking of an innocent

> unborn child for political progress; thus, [BEARS] argue that the decision should be permanently reversed in *Roe*, *supra*, or a temporary injunction should be placed on abortion until the American people can vote on a future, Proposed[9] Amendment 28, U.S. Constitution."

9. On May 22, 2008, [Persik] discovered *Pascouau v. Martin Marietta Corporation*, 994 F. Supp. 1276 (D. Colo. 1998) which allegedly further ties all cases together in a concrete manner. Senior District Judge Kane states, at 1279, "She sees things in black and white terms rather than shades of gray that permit allowances and generally feels whatever goes wrong is someone else's fault and she had no role in the misadventure. Persons with this disorder take no personal responsibility for what goes wrong in their lives.... Plaintiff also displayed symptoms which fall within the borderline personality disorder." Additionally, [Persik] cites the civil action number being 93-K-471 with the complaint dating back to April 1, 1991. [Persik] changed laboratories while at Colorado State University, *see Persik v. Colorado State University,* 542 U.S. 916 (#03-1278, 541 U.S. 990, 2004) where [he] can now allege, with a great deal more confidence, that the situation was pre-staged when [he] began graduate work, toward a Ph.D. in chemistry, with Dr. Gary Maciel. When leaving Dr. Maciel's lab, in August 1997, [he] began

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[9] [BEARS] will discuss methods in which Stare Decisis can be tackled in the United States, *infra* at VI Arg ¶ 6B, and a constitutional amendment is one of the methods suggested in the legal literature.

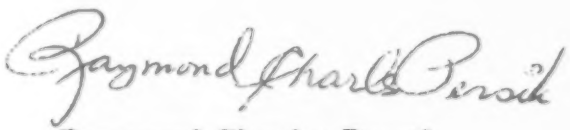
teaching assistant responsibilities in chemistry 471, physical chemistry for biochemistry graduate students and pre med undergraduates, for [his] new research advisor Dr. George Barisas, Assistant Dean. This cannot be a coincidence, and the petitioner maintains that this was either a set-up, to assist the petitioner in uncovering the alleged deprivation of Angel Persik from walking on Earth, or it was all an act of cruelty that very few loving mothers, or fathers, could humanly imagine.

CONCLUSION

The petitioner prays that this honorable Court grants this Petition, and subsequently remands this Case to the 9th Court of Appeals with either orders to further remand this case to the district court or grant the lead appellant's amended opening brief filed in August 2006. [Persik] has already witnessed some of the genetic problems appearing in [his] sister Catherine that [he] predicted while drafting the amended opening brief. Thus, [Persik] further maintains that science will once again prevail if this Court grants this petition, and [he] will be able to show the intentional wrongful diagnosis of [his] unborn son. Further more, [Persik] learned earlier today, on May 23, 2008, that the U.S. Army, or DoD, may be able to access [McCallie]'s medical records legally since this "event" has impeded [his] service in the U.S. Army.

WHEREFORE THE REASONS PRESENTED IN THIS PETITION, the Petitioner prays this Honorable Court will GRANT both this Petition for Rehearing and previously filed petitions pertaining to the alleged wrongful use of the procedure of abortion.

Respectfully re-submitted this 11th day of June 2008.



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CERTIFICATE PURSUANT TO

SUPREME COURT RULE 44.2

I certify pursuant to Supreme Court Rule 44.2 that this petition for rehearing is restricted to intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented, and that it is presented in good faith and not for delay.

Raymond Charles Persik

Raymond Charles Persik

State of California

County of Contra Costa

Subscribed and sworn to (or affirmed) before me on this 11th day of June, 2008, by Raymond Charles Persik.

Personally known to me or proved to me on the basis of satisfactory evidence to be the person who appeared before me. I certify under Penalty of Perjury under the laws of the State of California that the forgoing paragraph is true and correct.

DORAISWAMI RAMESH
Commission # 1614375
Notary Public - California
Contra Costa County
My Comm. Expires Oct 18, 2009